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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GREGORY KACHMAN,

Plaintiff(s),

vs.

WASHOE COUNTY DEPUTY SHERIFF
 CHAD E. ROSS

Defendant(s).

Case No.3:16-cv-00007-MMD-WGC

**RESPONSE IN OPPOSITION
 TO DEFENDANT'S MOTION
 FOR STAY PENDING
 RESOLUTION OF CRIMINAL
 INVESTIGATION/CHARGES**

COMES NOW, GREGORY KACHMAN ("Plaintiff"), by and through the undersigned counsel, and hereby files the following Response in Opposition to the Defendant WASHOE COUNTY DEPUTY SHERIFF CHAD E. ROSS ("Defendant" or "Deputy Ross") February 9, 2016 Motion for Stay Pending Resolution of Criminal Investigation/Charges (Doc #8). The Plaintiff's Opposition is based on the following Memorandum of Points and Authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

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3 1. On February 3, 2016, the Defendant filed a Motion to Dismiss, or, in the Alternative,
4 Motion to Stay Pending Resolution of Criminal Investigation/Charges (Doc. #6). On
5 February 5, 2016, the Plaintiff filed a Response in Opposition to the Defendant's Motion
6 Motion to Dismiss, or, in the Alternative, Motion to Stay Pending Resolution of Criminal
7 Investigation/Charges (Doc. #7). On February 9, 2016, the Defendant re-filed the exact
8 same Motion in Doc. #6 as Doc. #8. The only difference between the filings in Doc. #6
9 and Doc. #8 is that the Clerk of the Court as notated one as being a motion for dismissal
10 and the other as being a motion requesting a stay.
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13 2. As the Plaintiff has already responded to the substantive arguments raised in the the
14 Defendant's Motions in Doc. Nos. #6 and #8, for clarity of the record, the Plaintiff
15 responds in opposition herein by incorporating by reference the arguments the Plaintiff has
16 already made in Doc. #7 to the arguments re-raised by the Defendant in Doc. #8.
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18 3. Further, the Plaintiff notes that the Defendant has still not produced any evidence that
19 the Plaintiff has been charged with any crime related to the events that form the subject of
20 the dispute in this case, and therefore, there is at this time no sufficient justification to grant
21 the Defendant's request.
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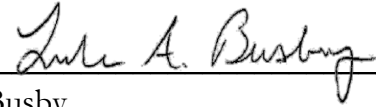
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1 BASED ON THE FOREGOING, the Plaintiff respectfully requests that the
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3 Defendant's Motion for a Stay be denied in whole and that the Defendant be required to file
4 an answer forthwith.

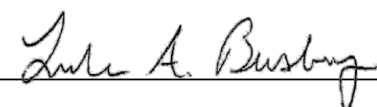
5 Respectfully submitted this February 9, 2016.

6
7 By: 
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14 *Attorney for the Plaintiffs*

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CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, I electronically transmitted the foregoing pleading to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel registered to receive Electronic Filings and/or mailed the foregoing pleading via US Mail postage prepaid to the following persons:

Michael Large, Esq.
Washoe County DA's Office
P.O. Box 11130
Reno, NV 89520
mlarge@da.washoecounty.us

By:  Dated: February 9, 2016.
Luke Busby